

**Introduced by Senator Scott**

February 16, 2005

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An act to add and repeal Article 4.8 (commencing with Section 44518) of Chapter 3 of Part 25 of the Education Code, relating to employee training programs, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 352, as introduced, Scott. Chief Business Officer Training Program.

Existing law establishes various training programs for employees of school districts.

This bill would establish, within the State Department of Education, the Chief Business Officer Training Program, to be administered by the Superintendent of Public Instruction, with the approval of the State Board of Education.

The bill would authorize the Superintendent to award funding to school districts and to county offices of education, to provide chief business officers, as defined, with instruction and training in the areas of school finance, school operations, and leadership. The bill would authorize the Superintendent to award funding to a school district or to a county office of education, individually, or in partnership with one more institutions of higher learning, that have submitted a program proposal, as specified, to the State Board of Education.

The bill would require the board, by September 15, 2005, to commence the process of developing rigorous criteria for the approval of state-qualified training providers.

The bill would require the State Department of Education, by July 1, 2008, to develop, subject to the review and approval of the State Board of Education, an interim report for submission to the

Legislature regarding the status of the program established pursuant to this measure, as specified, and would require the board to submit the report to the Legislature by \_\_\_\_\_. The bill would require the State Department of Education, by June 30, 2009, to develop, subject to the review and approval of the State Board of Education, a final report for submission to the Legislature regarding the status of the program established pursuant to the bill, as specified, and would require the board to submit the report to the Legislature by \_\_\_\_\_.

The bill would provide that its provisions are to become inoperative on July 1, 2010, and are repealed as of January 1, 2011.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 4.8 (commencing with Section 44518) is  
2 added to Chapter 3 of Part 25 of the Education Code, to read:

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4 Article 4.8. Chief Business Officer Training Program

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6 44518. (a) This article shall be known and may be cited as  
7 the Chief Business Officer Training Program.

8 (b) For purposes of this article, “chief business officer” means  
9 a person who is employed on a full-time basis as a chief business  
10 or financial officer by a school district or county office of  
11 education, or who is a candidate in training for one of those  
12 positions pursuant to a nomination by a district or a county office  
13 of education.

14 44518.1. The Chief Business Officer Training Program is  
15 hereby created within the department and shall be administered  
16 by the Superintendent, with the approval of the State Board of  
17 Education.

18 44518.2. The Superintendent shall award incentive funding to  
19 school districts and to county offices of education, upon the  
20 appropriation of funds by the Legislature for purposes of this  
21 article, to provide chief business officers with instruction and  
22 training in areas including, but not limited to, all of the  
23 following:

1 (a) School finance, including revenue projection, cash-flow  
2 management, budget development, financial reporting,  
3 monitoring controls, and average daily attendance projections  
4 and accounting.

5 (b) School operations, including matters relating to facilities,  
6 maintenance, transportation, food services, collective bargaining,  
7 risk management, and purchasing.

8 (c) Leadership, including organizational dynamics,  
9 communication, facilitation, and presentation.

10 44518.3. (a) In order to qualify for and to receive incentive  
11 funding for purposes of this article, a school district or county  
12 office of education, individually or in partnership with one or  
13 more institutions of higher education or other education entities,  
14 shall submit a program proposal to the State Board of Education.  
15 The program proposal shall contain an expenditure plan and shall  
16 specify the manner in which the training program for which  
17 funding is being requested addresses the program goals specified  
18 in subdivisions (a) to (c), inclusive, of Section 44518.2.

19 (b) The state board shall approve the program proposal  
20 submitted pursuant to subdivision (a).

21 44518.4. A school district or county office of education that  
22 receives funding pursuant to this article to offer training shall use  
23 a state-qualified training provider that has been approved by the  
24 State Board of Education.

25 44518.5. By September 15, 2005, the State Board of  
26 Education shall commence the process of developing rigorous  
27 criteria for the approval of state-qualified training providers. The  
28 state board shall develop the criteria in consultation with the  
29 Fiscal Crisis and Management Assistance Team, the department,  
30 and, at the discretion of the state board, any other individual or  
31 group with expertise in the areas set forth in subdivisions (a) to  
32 (c), inclusive, of Section 44518.2.

33 44518.6. A training program offered pursuant to this article  
34 shall be conducted for no fewer than 100 hours, a minimum of 50  
35 hours of which shall involve intensive individualized support and  
36 professional development in the areas specified in subdivisions  
37 (a) to (c), inclusive, of Section 44518.2. A chief business officer  
38 may complete the 50 hours of intensive individualized support  
39 and professional development within a period of up to two years  
40 after the date the training commences.

1 44518.7. Funding provided pursuant to this article is intended  
2 to serve 350 chief business officers per fiscal year. Priority for  
3 enrollment shall be given to chief business officers from districts  
4 that are currently operating with a state-appointed administrator  
5 or trustee, or from districts that have received a negative or  
6 qualified budget certification within the past five fiscal years.

7 44518.8. (a) A school district or county office of education is  
8 eligible to receive funding to train one chief business officer.

9 (b) If all of the funding appropriated for this article is not  
10 expended in a fiscal year, the funding may be redistributed on a  
11 pro rata basis for chief business officers from school districts or  
12 county offices of education serving the highest number of pupils  
13 based on the most recent enrollment data.

14 44518.9. (a) Funding allocated for purposes of this article  
15 shall not exceed three thousand dollars (\$3,000) per chief  
16 business officer. This funding shall be received by a school  
17 district or county office of education in accordance with the  
18 specifications contained in the program proposal of the school  
19 district or the county office of education, as approved by the  
20 State Board of Education.

21 (b) If it is determined pursuant to an audit that a participating  
22 school district or county office of education did not provide  
23 training as described in Sections 44518.2 and 44518.7 to a chief  
24 business officer for whom it received funding, the Superintendent  
25 shall withhold from the next principal apportionment to the  
26 school district or county office of education the sum of three  
27 thousand dollars (\$3,000) for each chief business officer who did  
28 not receive the training.

29 (c) The state board shall establish a procedure and criteria for  
30 school districts and county offices of education to appeal to the  
31 board the finding of an audit pursuant to this article. The state  
32 board may reduce or eliminate the amount to be withheld  
33 pursuant to subdivision (b) based on that appeal.

34 44519. By July 1, 2008, the department shall develop, subject  
35 to the review by, and the approval of, the State Board of  
36 Education, an interim report for submission to the Legislature  
37 regarding the status of the program established pursuant to this  
38 article. The board shall submit the interim report to the  
39 Legislature by \_\_\_\_\_. The interim report shall, at a minimum,  
40 include detailed information as to all of the following:

1 (a) The number of chief business officers who received  
2 training offered pursuant to this article.

3 (b) The entities that received funds for the purpose of offering  
4 training pursuant to this article, and the number of chief business  
5 officers that each entity trained.

6 (c) Data regarding the budget certification status of each  
7 school district and county office of education participating in the  
8 program, and identification of each school district and county  
9 office of education with negative or qualified budget  
10 certifications that did not receive training.

11 44519.1. By June 30, 2009, the department shall develop,  
12 subject to review and approval by the State Board of Education,  
13 a final report for submission to the Legislature regarding the  
14 program established pursuant to this article. The board shall  
15 submit the final report to the Legislature by \_\_\_\_\_. The final  
16 report shall, at a minimum, include detailed information as to all  
17 of the following:

18 (a) The number of chief business officers who received  
19 training offered pursuant to this article.

20 (b) The entities that received funds for the purpose of offering  
21 training pursuant to this article and the number of chief business  
22 officers that each trained.

23 (c) Data regarding the budget certification status for each  
24 school district and county office of education whose chief  
25 business officer attended the training, and identification of each  
26 district and office with negative or qualified budget certifications  
27 whose chief business officer did not receive the training.

28 (d) Survey data concerning program effectiveness that has  
29 been gathered from program participants.

30 (e) Information detailing the retention rate of chief business  
31 officers who participated in training offered pursuant to this  
32 article.

33 44519.2. This article shall become inoperative on July 1,  
34 2010, and, as of January 1, 2011, is repealed, unless a later  
35 enacted statute, that becomes operative on or before January 1,  
36 2011, deletes or extends the dates on which it becomes  
37 inoperative and is repealed.

38 SEC. 2. This act is an urgency statute necessary for the  
39 immediate preservation of the public peace, health, or safety

1 within the meaning of Article IV of the Constitution and shall go  
2 into immediate effect. The facts constituting the necessity are:  
3 In order to ensure that those responsible for the business and  
4 financial matters of school districts, county offices of education  
5 are properly trained and qualified at the earliest possible time,  
6 and that rigorous criteria for the approval of state-qualified  
7 training providers are established at the earliest possible time, it  
8 is necessary that this act take effect immediately.

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